

Remarks

Applicant respectfully requests that this Response After Final Action be admitted under 37 C.F.R. § 1:116.

Applicant submits that this Response presents claims in better form for consideration on appeal. Furthermore, applicant believes that consideration of this Response could lead to favorable action that would remove one or more issues for appeal.

No claims have been amended. No claims have been canceled. Therefore, claims 1, 4-5, 7-10 and 16-22 are now presented for examination.

Claims 1, 4, 5, 7-10 and 16-22 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the enablement requirement. Applicant submits that the present claims comply with the enablement requirement.

Applicant's specification at page 4, lines 1-3 explicitly states that a central management agent *may monitor and/or control* power supplies, fan trays and temperature sensors. In fact, the Examiner acknowledges this disclosure in the specification. See Office Action at page 2, paragraph 2. However, the Examiner asserts that such a disclosure does not specifically state that control signals are transmitted to temperature sensors and it is unclear which components are controlled and which are monitored. *Id.*

Applicant respectfully submits that a plain English construction of the components *monitor and/or control* indicates that any of the component types may be monitored and any of the components types may be controlled. The Examiner further asserts that the statement can also mean that the devices are "monitored or controlled". See Final Office Action at Page 8, paragraph 23. Applicant acknowledges the accuracy of the Examiner's assertion. However, because the statement may be interpreted as both

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“monitored and controlled” and “controlled or monitored” the disclosure of components being “monitored and controlled” is explicitly disclosed.

Claims 1, 4, 5 and 7 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Stepp, III (U.S. Patent 6,487,463) and what is well known in the art, as evidenced by Umezawa (U.S. Patent No. 4,975,766). Applicant submits that the present claims are patentable over Stepp in view of Umezawa.

To establish a **prima facie** case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. In re Vaack, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Stepp discloses a system for actively cooling an electronic device. See Stepp at Abstract. Stepp further discloses a controller 320 that is coupled to temperature sensors 314 and cooling fans 316. The controller 320 monitors the temperature of components 302-312 through the temperature sensors 314. See Stepp at col. 6, ll. 14-19 and Figure 3. The controller 320 is coupled to cooling fans 316 via FAN C and FAN M connections. The FAN C connections are used to control the rotational speed of each cooling fan 316. See Stepp at col. 6, ll. 22-24. The FAN M connections are used to monitor each cooling fan 316 to detect failure of a cooling fan. See Stepp at col. 6, ll. 56-58.

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Umezawa discloses a structure for detecting a temperature of a package which includes a circuit board having mounted thereon a plurality of integrated circuit chips, each of which is accommodated in a chip carrier, a cooling plate facing the integrated circuit chips for performing a heat exchanger with a coolant, a temperature sensing block including a case which is mounted on the circuit board and has substantially the same height as the chip carriers with at least one temperature sensor accommodated in the case, and a heat-conducting medium filling small clearances defined between the cold plate and the integrated circuit chips and the temperature sensing block. See Umezawa at Abstract.

Claim 1 of the present application recites:

A system comprising:
a first set of field replaceable units each being of a first type;
a second set of field replicable units each being of a second type;
a first management bus, directly coupled to each of the first set of field replaceable units, wherein the first management bus is coupled only to field replicable units of the first type;
a second management bus, directly coupled to each of the second set of field replaceable units, wherein the second management bus is coupled only to field replicable units of the second type;
a central management agent, coupled to the first management bus and the second management bus, to monitor each of the first and second sets of field replaceable units via the first and second management buses, and to transmit signals to control each of the first and second sets of field replaceable units via the first and second management buses; and
a communication link, coupled to the central management agent, to transmit signals received from the central management agent indicating failure of one or more of the first set of field

replaceable units, and the second set of field replaceable units to a remote location.

Applicant submits that there is no disclosure or suggestion in either Stepp or Umezawa of a central management agent transmitting signals control to both the temperature sensors and the fans. Particularly, neither reference discloses or suggests transmitting control signals to the temperature sensors. In fact, the Examiner acknowledges that Stepp does not disclose such a feature. See Office Action at page 3, paragraph 5. However, the Examiner maintains that Umezawa discloses the feature. *Id.*

Umezawa discloses an external circuit for controlling temperature sensors such that when one temperature sensor senses a temperature indicative of a malfunction the external circuit activates another temperature sensor. See Umezawa at claim 3. Nonetheless, there is no disclosure in Umezawa of *transmitting control signals to the temperature sensors.*

Because both Stepp and Umezawa fail to disclose or suggest transmitting control signals to temperature sensors, any combination of Stepp and Umezawa would also fail to disclose or suggest transmitting control signals to temperature sensors. Therefore, claim 1 and its dependent claims are patentable over Stepp in view of Umezawa.

Claims 8-10 and 16-21 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Stepp III, in view of Holland (U.S. Patent No. 5,367,669). Applicant submits that the present claims are patentable over Stepp in view of Holland.

Holland discloses a fault tolerant disk array control system. See Holland at Abstract.

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Claim 16 recites:

A system comprising:
two or more temperature sensors;
a first management bus directly coupled to each of the two or more temperature sensors, wherein the first management bus is coupled only to temperature sensors;
two or more fan trays;
a second management bus directly coupled to each of the two or more fan trays, wherein the second management bus is coupled only to fan trays;
a central management agent, coupled to the first management bus and the second management bus, to monitor the temperature sensors and the fan trays via the first and second management buses, and to transmit signals to control activation of one or more of the fan trays based upon signals received from one or more of the temperature sensors via the first and second management buses, and having failure detection logic to detect a failure of the temperature sensors, and the fan trays; and
a network interface card coupled to the central management agent, to transmit signals received from the central management agent indicating failure of one or more of the temperature sensors, and the fan trays to a remote location.

Applicant submits that neither Stepp nor Holland disclose or suggest a central management agent transmitting signals to control to temperature sensors and fans.

Holland discloses a Watchdog Timer that detects faulty functioning of a microprocessor.

See Holland at col. 6, ll. 58-62. Applicant submits that a watchdog timer at a microprocessor is not equivalent to a central management agent having failure detection logic to detect a failure of the temperature sensors, and the fan tray.

Moreover, Stepp and Holland each fail to disclose or suggest a process of detecting a failure of temperature sensors. Stepp discloses detecting a failure in one of the cooling fans, but not temperature sensors. Since neither Stepp nor Holland disclose

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or suggest such a central management agent transmitting signals to control to temperature sensors and fans or a process of detecting a failure of temperature sensors, any combination of Stepp and Holland would not disclose such features. Therefore, the present claims are patentable over Stepp in view of Holland.

Claim 22 stands rejected under 35 U.S.C. §103(a) as being unpatentable over Stepp III and Holland, and in further view of Jewett et al. (U.S. Patent No. 6,073,251). Applicant submits that the present claims are patentable over any combination of Stepp, Holland and Jewett.

Jewett discloses a computer system with a fault tolerant configuration. See Jewett at Abstract. However, Jewett does not disclose or suggest a central management agent transmitting signals control to temperature sensors and fans, or detecting a failure of temperature sensors.

As discussed above, Stepp and Holland both fail to disclose or suggest such features. Since neither Stepp, Holland nor Jewett disclose or suggest a central management agent transmitting signals control to temperature sensors and fans, or detecting a failure of temperature sensors, any combination of Stepp, Holland and Jewett would also not disclose the features. Therefore, the present claims are patentable over the combination of Stepp, Holland and Jewett.

Applicant submits that the rejections have been overcome, and that the claims are in condition for allowance. Accordingly, applicant respectfully requests the rejections be withdrawn and the claims be allowed.

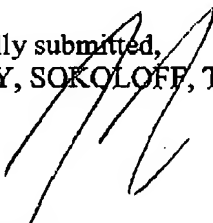
The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

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Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,
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